



Request for Qualifications (RFQ)

Community Based Organizations (CBO)

Interested in the

Development of Affordable Housing

Requested by

Land Assemblage Redevelopment Authority
Houston, Texas

Issuance Date: **May 20, 2005**

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NOTICE OF REQUEST FOR CBO QUALIFICATIONS
Land Assemblage Redevelopment Authority ("LARA")

General Description of the RFQ Request for Qualifications:

The Request for Qualifications ("RFQ") is issued to chartered, non-profit community-based organizations ("CBO"). Responses shall address directly related experience in the development of affordable housing, and responding to information requested in the RFQ document.

Copies of the RFQ document:

Copies of the RFQ document may be picked up in person from the Housing and Community Development Department ("HCDD") by calling 713/868-8300 or by download from the HCDD website: www.houstonhousing.org, click on "Applications and Downloads".

The Land Assemblage Redevelopment Authority ("LARA") reserves the right to reject any or all responses to the RFQ, to advertise for new RFQ responses, or to accept any RFQ responses deemed to be in the best interests of the City of Houston. Acceptance of any response to the RFQ should not be construed as a contract nor shall it indicate any commitment on the part of LARA for any future action. The RFQ does not commit LARA to pay for any costs incurred in the submission of a response to this RFQ or for any cost incurred prior to the execution of a final contract.

Submittal Instructions:

Respondents shall submit one (1) original and two (2) copies of the RFQ response document in 8 1/2" x 11" format. Responses will include the "Response Form", page 12 of the RFQ, along with any materials requested to accompany the Response Form, as attachments. Responses will be accepted sealed, containing respondent's return address and contact information; the face of the package should be labeled "LARA RFQ"

NOTE: Responses should be stapled (special binders or packaging is discouraged).

This RFQ is open-ended.

Responses to this Request for Qualifications may be submitted at any time during week-day business hours; LARA will review and evaluate all responses received during the previous quarter at the end of each quarter. Each respondent will be notified, in writing, of the results of the review.

Delivered to: Housing & Community Development Department
601 Sawyer St., 4th Floor
Houston, Texas 77007

LARA reserves the right to request additional information, after submittal, as may be necessary to adequately assess each response.

Any questions or clarifications regarding definitions or interpretations of the RFQ must be submitted by e-mail to: Brian Crabtree, Housing & Community Development Department, brian.crabtree@cityofhouston.net

By: David Collins, Chairman
Reginald Adams, President
Land Assemblage Redevelopment Authority

INTRODUCTION

The purpose of this RFQ is to provide an opportunity for CBOs whose mission includes the development of affordable housing, to submit their qualifications for the development of affordable housing to be constructed on LARA properties. Based on demonstrated capacity and experience, each CBO will be screened and placed in one of three categories, as defined herein: "Advanced," "Mature," or "Emerging." Once screened, each CBO will be eligible to submit responses for subsequent Requests for Proposals ("RFP"), if any, for the development of specific LARA properties.

LARA will issue similar RFQs periodically. This will allow CBOs the opportunity to resubmit updated information on their qualifications and experience.

It is important to note that the RFQ is the first of a two-step process. First, CBOs will respond to the RFQ, resulting in a determination of a specified level of proven expertise, based on the categories described above. The second step is when LARA issues a **Request for Proposals** for one or more specific parcels for development. CBOs will then determine if they desire to respond to the RFP. All CBOs who respond to the RFP, and who meet minimum requirements called for in the RFP, will be eligible for selection for that particular RFP. LARA will then select a CBO who will be offered the opportunity to prepare a development plan for the property. An alternative CBO will also be selected, at the same time, in the event the primary entity is not able to successfully submit a valid development plan.

Please note that LARA reserves the right to select qualified CBOs to develop specific parcels without issuing an RFP for such purpose.

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PROGRAM DESCRIPTION AND LARA PILOT AREAS

In October of 1999 (Ord. #1999-59) the Houston City Council approved the creation of LARA for the purpose of implementing a program that assembles long-term, tax delinquent parcels of land and conveys the lots for redevelopment.

The Urban Redevelopment Land Assemblage Program ("Program") will promote and encourage the development and redevelopment of blighted, abandoned or vacant properties within the City.

The primary intent of the Program is to encourage the development of affordable housing and the furtherance of neighborhood redevelopment goals.

On November 5, 2003 (Ord. #2003-1018), City Council approved the Urban Redevelopment Interlocal Agreement ("Interlocal Agreement"), the LARA Bylaws, and amended LARA's Articles of Incorporation.

The Interlocal Agreement provides the mechanism by which the City proceeds with the Program. The taxing units agree to initiate foreclosures on the designated properties and, subsequent to a first sale, convey "struck-off" properties to the City and ultimately to LARA. The LARA Board of Directors ("LARA Board" or "Board") will assemble the properties for resale, and will take action to assure that the properties are redeveloped for uses that conform to the neighborhood redevelopment goals and that are consistent with the City's affordable housing policy.

On July 28, 2004 (Ord. #2004-800), City Council approved an agreement with LARA providing funding for operations and land purchases at foreclosure auctions, creating an Oversight Committee and providing funds for legal services. It is expected that the primary method of property acquisition will be through purchases at auction, with the transfer of "struck-off" properties being a secondary alternative.

The Program will assist and contribute to neighborhood redevelopment goals for the pilot neighborhoods, as reflected in Exhibit A of the Interlocal Agreement, "Joint Neighborhood Redevelopment Goals for Urban Redevelopment Projects" (See following page).

LARA Pilot Areas:

The Program establishes a pilot program to be carried out for parcels located in the Third Ward and Fifth Ward of the City. A total of 215 tax-delinquent, vacant properties were designated by the Interlocal Agreement for possible inclusion in the Program.

Joint Neighborhood Goals for Urban Redevelopment Projects
From: Urban Redevelopment Interlocal Agreement

Key Goals of Plans include:

- To restrict the use of properties acquired by the Authority for the development of homes which are consistent with the neighborhood redevelopment plans;
- The Small Builder Developer Program – To assemble a cooperative effort between the Authority and single family housing builders with limited means to strengthen the community's resource of builders;
- To utilize foreclosed properties in addressing the affordable housing crisis following the flood resulting from Tropical Storm Allison;
- Joint cooperation by the City and County to the Agreement in the implementation of redevelopment projects housing for low and moderate income families, as established by current HUD pricing guidelines;
- Elimination of slums and blight and the stabilization and enhancement of property values in the neighborhoods;
- Effective utilization of development tools and a range of public and private programs that together lead to comprehensive redevelopment of a neighborhood;
- Promotion of economic development in direct support of housing to ensure quality of life in revitalized neighborhoods, including institutional input and infrastructure, i.e., neighborhood stores, schools, parks, and street improvements;
- Return to productive use of properties that are in long-term tax delinquency and unlikely to be developed, or otherwise maintained, in the absence of public redevelopment planning;
- Return to productive use of properties perceived as brownfields, where possible;
- Integration of neighborhood urban redevelopment plans with the City's Capital Improvements Program and community development block grant (CDBG) funding for projects.

Request for Qualifications**Page 7****DESCRIPTION OF THE RFQ PROCESS:**

As described above, the RFQ is the first of a two-step process. By responding to the RFQ, the CBO will be screened using criteria for “Emerging,” “Mature,” and “Advanced” categories, based on expertise and experience. The CBO will then have the opportunity to respond to future RFPs that may be issued by LARA for the development of specific properties.

The RFQ process has four steps:

Step 1: LARA Issues a RFQ:

- Open to chartered non-profit CBOs;
- Housing established as mission in the organization’s bylaws or a resolution, which has been adopted for at least one year;
- Establishes minimum criteria for inclusion in the RFP Selection Process:
 - Advanced
 - Mature
 - Emerging
- Considers experience of CBO independently and/or as member of a partnership;
- Must disclose past history; e.g., production, disbarment, foreclosure;
- Must attest no debt owed to the City.

Step 2: The CBO Submits Qualifications

(Note: to minimize expense, costly productions, bindings, etc. will be discouraged)

- Service area or location;
- At least one Pilot Area (or portion) lies within organization’s service area;
- Financial capacity; banking relationships;
- Board list with resumes;
- Staff list with resumes;
- Length of time in existence;
- List of projects developed (with recent pictures of earliest and latest developments);
- Other information may be specified by the RFQ.

Step 3: Screening of Qualifications

LARA will retain the services of an independent entity, which will review the screening of responses against the criteria formally adopted by the LARA Board. The LARA Board has adopted minimum criteria for inclusion in the RFP selection process, and these are grouped into three categories based on capacity and experience: “Advanced,” “Mature,” and “Emerging.” The entity responsible for reviewing responses will report the results to the LARA Board, which will then notify each respondent of the results.

The form of notifications is as follows:

1. Notice of Acceptance or Disqualification
2. Notice of Additional Qualifications Needed

Training and Networking Opportunities:

LARA and the City have determined that sufficient opportunities should be made available to CBOs who wish to increase their level of expertise, training, and experience.

Step 4: List of CBOs Qualified for Inclusion in the RFP Selection Process (the “List”)

The Notice of Acceptance, resulting from the screening process, will specify the category of expertise assigned to each CBO. These are: “Advanced,” “Mature,” or “Emerging.”

Those CBOs receiving such designation will be placed on LARA’s “List of Qualified CBOs or the “List”. At such time that LARA issues an RFP for the development of a specific property or properties, all CBOs on the List will receive the RFP and an opportunity to respond.

The LARA reserves the right to change this process, and the timing of any step, based on its needs and on the responses to the RFQ

SCREENING CRITERIA

The LARA Board has adopted the criteria for three categories, based on expertise and experience:

ADVANCED

- *Has been in existence 5 or more years*
- *Has well-established board that meets regularly*
- *Has developed 20 or more single family homes, or*
- *Has developed one multi-family project of 100 units or more*
- *Substantial rehab projects (multi-family) can be substituted for new construction projects*
- *Has demonstrated a high level of financial capacity*
- *Has more than 3 direct full-time staff members (a consultant under contract may be substituted for one staff)*
- *Can pay predevelopment expenses*

MATURE

- *Has been in existence 3-5 years*
- *Has well-established board that meets regularly*
- *Has developed 10-20 single family homes, or*
- *Has developed one multi-family project of 20-100 units*
- *Substantial rehab projects (multi-family) can be substituted for new construction projects*
- *Has demonstrated financial capacity in the form of an operating budget*
- *Has at least 3 direct full-time staff members (a consultant under contract may be substituted for one staff)*

EMERGING

- *Has been in existence at least 2 years*
- *Has well-established board that meets regularly*
- *Has developed at least 1-10 single family homes*
- *Substantial rehab projects can be substituted for new construction projects*
- *Has demonstrated financial capacity in the form of an operating budget*
- *Has at least 2 direct full-time staff members*

Request for Qualifications**Page 10****CONDITIONS AND LIMITATIONS**

This RFQ is not a commitment or offer by LARA or the City to enter into an agreement with a respondent or to pay cost incurred in the preparation of a response to this RFQ. The timely responses, and any information made a part of the responses, will not be returned to the respondent. The RFQ and the selected CBO's responses to the RFQ may, by references, become a part of the final development agreement between the selected respondent and the City resulting from this solicitation.

The respondent shall not offer any gratuities, favors, or anything of monetary value to any official or employee of LARA or the City, LARA's appointed entity conducting the screening of RFQ responses, or any other organization that may have a clear interest in the outcome of the screening process for the purpose of influencing the outcome of the RFQ response selection process. Respondents are prohibited from contacting any member of LARA or any department of the City concerning this RFQ or response to this RFQ.

The respondent shall not collude in any manner, or engage in any practices with any other respondent(s), which may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the respondent(s) submittal(s) to be rejected by LARA. This prohibition is not intended to preclude joint ventures or partnerships.

All responses submitted must be the original work product of the respondent. The copying, paraphrasing or otherwise use of substantial portion of the work product or another respondent is not permitted. Failure to adhere to this instruction will cause the respondent to be rejected.

LARA has sole discretion and reserves the right to reject any and all responses received with respect to this RFQ and to cancel the RFQ at any time prior to entering into a formal agreement. The City reserves the right to reasonably request additional information or clarification of information provided in the response without changing the terms of the RFQ.

The respondent must furnish a "Certificate of Authority" signed by the chief executive officer or managing director of the CBO with its response. The certificate must list the specific officers who are authorized to execute agreements on behalf of the CBO.

CONFIDENTIALITY OF DOCUMENTS

In general, documents that are submitted as part of the response to this RFQ will become public records, and will be subject to public disclosure. If the CBO follows the procedures prescribed by relevant statutes and designates a document "confidential" or "trade secret," LARA will withhold the document from public disclosure to the extent that it is entitled or required to do so by applicable law. Please consult with your attorney prior to designating any documents as "confidential" or "trade secret."

If LARA or the City determines that a document that the CBO has designated "confidential" or "trade secret" is not entitled to protection from public disclosure, LARA will provide notice of that determination to the contact person designated by the CBO in any reasonable manner that LARA can provide such notice, at least five business days prior to public disclosure of the document. If the CBO does not designate anyone to receive such notice LARA will not have any obligation to provide any notice of a determination of non-confidentiality. If the CBO does not designate anyone to receive such notice or, if within five business days after the designated person receives such notice, the CBO does not initiate judicial proceeding to protect the confidentiality of the document, LARA will not have any obligation to withhold the document from public disclosure.

By submitting to LARA a document that the CBO designates as "confidential" or "trade secret," the CBO agrees that in the event a third party brings any action against LARA or any of its officials or employees to obtain disclosure of the document, the CBO will indemnify and hold harmless LARA and each organization's affected officials and employees from all costs, including attorney's fees incurred by or assessed against any defendant, of defending against such action. The CBO will intervene in any such action and assume all responsibility for defending against it, and that the CBO's failure to do so will relieve LARA of all further obligations to protect the confidentiality of the document.

RESPONSE FORM FOR STATEMENT OF QUALIFICATIONS

Following this page is the **Response Form for Statement of Qualifications**. Complete all information called for in the form and provide, as attachments, any documentation requested by the form.

Mail or Deliver the form and attachments in accordance with the instructions in the "Notice of Request for CBO Qualifications" (page 3 of this RFQ).

Please briefly describe your agency's level of financial capacity; e.g., banking relationships, etc.

PROJECT DEVELOPMENT TEAM (IF YOU CURRENTLY HAVE IN PLACE A DEVELOPMENT TEAM, PLEASE IDENTIFY CURRENT OR PREVIOUS MEMBERS OF YOUR DEVELOPMENT TEAM; IT IS NOT REQUIRED THAT DEVELOPMENT TEAM BE IN PLACE IN ORDER TO RESPOND TO THE RFQ)

	Contact	Firm	Phone
Project Engineer:	_____	_____	_____
Architect:	_____	_____	_____
Builder:	_____	_____	_____
Project Manager:	_____	_____	_____
Development Consultant:	_____	_____	_____

DEVELOPMENT EXPERIENCE	A. UNITS		B. PROJECTS	
	Single Family	Multifamily	Single Family	Multifamily
Housing Units Developed				
Currently Being Developed				
Projects in Predevelopment Stage				

Describe the experience of the project manager and/or participants that will contribute to the completion of the project. (600 words or less)

REQUIRED INFORMATION CHECKLIST

- ☐ LARA Response Form – Request for CBO Qualifications
- ☐ Current agency-wide budget and interim financial statements
- ☐ Most recent two year's financial statements, audited, if available
- ☐ Board roster (names, addresses, phone and fax numbers, expertise that members bring to the board)
- ☐ Articles of Incorporation and Bylaws and Certificate of Incorporation
- ☐ Certificate of Good Standing (current within 90 days will be required at closing – available on Internet)
- ☐ Federal tax exempt letter
- ☐ Organizational chart
- ☐ Resumes of staff
- ☐ Corporate Resolution authorizing submission of response to the LARA RFQ
- ☐ Attorney's Certification
- ☐ List of homes sold by address with date closed, price, builder and CBO's role (developer, builder, provided lot and/or buyer)
- ☐ Affidavit of Ownership or Control (obtain from: www.houstonhousing.org, click on "Applications and Downloads")

CREDIT

I hereby grant the Land Assemblage Redevelopment Authority (LARA) permission to obtain credit information and general references and to contact the applicant's accountant.

CERTIFICATION

I certify that the information on this Eligibility Application, Site Data Sheets(s), and attachments hereto are complete and current to the best of my knowledge. Furthermore, I understand that intentional misrepresentation of facts may be a basis for denial of credit or an "event of default" as described in the Promissory Note which will evidence the loan request, if approved.

(Authorized Signature)

(Date)

(Authorized Signature)

(Date)

Attorney's Certification

I, _____ as legal counsel for _____
(hereinafter referred to as "Applicant"), am personally knowledgeable about the status and affairs of the Applicant and hereby certify that the following are true and correct to the best of my knowledge:

Please check those which apply:

- ☐ 1. CBO is incorporated as a nonprofit public-benefit corporation under the laws of the State of _____ . Applicant is also tax-exempt pursuant to Internal Revenue Code Section 501(c)(3) and the Applicant's tax-exempt status is in good standing with the Internal Revenue Service and all state agencies which regulate tax-exempt organizations.
- ☐ 2. CBO is organized as a profit homebuilder under the laws of the State of _____ as a: ☐ C corporation; ☐ Sub S corporation; ☐ LLC; ☐ Sole proprietorship; ☐ Other: _____
- ☐ 3. CBO is legally empowered to incur indebtedness and enter into a development agreement with the Land Assemblage Redevelopment Authority (LARA) for the purposes set forth in the Eligibility application and approved by LARA and the action(s) of the governing body of the Applicant to authorize this application was/were made in the proper manner.
- ☐ 4. CBO, its parent organization and/or any subsidiary, is not currently in bankruptcy or subject to court-supervised insolvency proceedings, or subject to disbarment under federal contracting rules.
- ☐ 5. CBO is not currently subject to investigation, claims or actions by a person, firm, court or government agency as the result of a staff and/or board member violating any laws or regulations.

Signed: _____

Name: _____

Dated: _____

Firm: _____

Address: _____

Phone number: _____

Fax number: _____